

EXHIBIT 89



County of Bergen
Executive Order No. 2020-1B
Final Version

Pursuant to the authority vested in me under the County Executive Form of Optional Charter Law, N.J.S.A. 40:41A-36 and 37, *et seq.*, and Article 3, Section 3.4 of the Administrative Code of the County of Bergen, I issue the following Executive Order:

WHEREAS, on January 30, 2020, the World Health Organization designated the novel coronavirus, COVID-19, outbreak as a Public Health Emergency of International Concern; and

WHEREAS, the spread of COVID-19 within New Jersey constitutes an imminent public health hazard that threatens and presently endangers the health, safety and welfare of the residents of all municipalities and counties within the State of New Jersey; and

WHEREAS, the Governor of the State of New Jersey has declared a State of Emergency within the New Jersey and the President of the United States has declared a National Emergency as a result of the COVID-19 pandemic; and

WHEREAS, in response to the health emergency posed by COVID-19 I issued Executive Order No. 2020-01 on March 10, 2020 declaring a State of Emergency in Bergen County establishing mandates to combat COVID-19; and

WHEREAS, on March 13, 2020 I issued Executive Order No. 2020-01A establishing additional mandates to combat COVID-19; and

WHEREAS, all of the terms of Executive Order No. 2020-01 and Executive Order 2020-01A are hereby incorporated by reference and remain in effect; and

WHEREAS, the continuing spread of COVID-19 requires the adoption of additional measures to flatten the curve of the disease and protect the health and safety of all residents of Bergen County, and

WHEREAS, since the declaration of the State of Emergency, issuance of Executive Orders No. 2020-01 and 2020-1A and the declaration of a national emergency, the number of cases in New Jersey has risen to 178 cases statewide; and

WHEREAS, due to the ongoing COVID-19 health emergency, it is necessary to use every means at our disposal to implement additional measures, including but not limited to those directed at places of public gathering, in order to flatten the curve of the spread of COVID-19; and

WHEREAS, I have discussed the provisions of the within Executive Order with Bergen County Health Officer, the Chief Operating Officers of all hospitals within the County as well as Chief Operating Officers of hospitals outside of the County, the Bergen County Sheriff, the Bergen County Prosecutor, Bergen County Office of Emergency Management and other law enforcement authorities, and have secured their confirmation of the need for the provisions of the within Order, and

WHEREAS, this worldwide health pandemic is the first of its kind in not only the State of New Jersey but also the country, and I as County Executive have the obligation to take all necessary measures to stop the spread of this pandemic, which include but are not limited to novel measures not previously undertaken, the following measures are necessary to protect the health, safety, welfare and lives of the residents of Bergen County,

NOW, THEREFORE, I JAMES J. TEDESCO, III as the County Executive for the County of Bergen, do hereby order and direct that:

- 1) All of the restrictions contained in prior Executive Orders issued in an effort to combat the COVID-19 virus are hereby incorporated herein by reference and shall continue in full force and effect except as specifically modified by the provisions of the within Executive Order.
- 2) No worldly employment or business shall be performed or practiced by any person or entity within the County of Bergen until further notice except as expressly permitted herein.
- 3) This Order shall not be construed to prohibit the following activities:
 - a. preparation and sale of drugs, meals, prepared food;
 - b. take-out sale of alcoholic beverages, newspapers, pet food and sanitary pet products, gasoline and food products subject to the conditions and limitations contained herein.
 - c. Auto repair shops will be permitted to remain open only if attached to and part of a gasoline station;
 - d. Health care facilities shall remain open with the exception of dental care facilities which shall close except as may be deemed necessary by a licensed dentist to treat emergency conditions;
 - e. Law firms, other entities or individuals specifically licensed to provide professional legal services, are hereby exempted from this Executive Order to the degree necessary to participate in Superior Court trials or other ancillary court proceedings or emergent matters or transactions;
 - f. Banks or banking institutions;
 - g. Funeral Parlors.

All exempted activities are required to otherwise comply with any and all provisions of any existing Executive Orders, laws or other regulations and CDC guidelines, including but not limited to those concerning social distancing.

- 4) All malls, shopping centers, offices, construction and business activity of any type or nature, except as modified herein, shall be closed until further notice.
- 5) Restaurants within malls or shopping centers may remain open only for the sale of take-out orders or delivery.

- 6) Stores selling alcoholic beverages for outside consumption may remain open but shall comply with previously announced limitations and guidelines applicable to restaurants and CDC “social distancing” and other applicable guidelines.
- 7) All health clubs, gyms, dance class facilities, yoga class facilities and all other similar recreational facilities shall be closed until further notice.
- 8) I ask any health care professionals including, but not limited to, physicians, physicians’ assistants, nurses, dentists and other professionals to volunteer to provide health care services to combat the COVID-19 health care emergency.
- 9) Bergen County shall cease issuing road opening permits except in cases of emergency.
- 10) All utility roadwork is hereby suspended until further notice, unless necessary for emergency purposes or required to maintain the provision of the utility service.
- 11) I recommend that the New Jersey Board of Public Utilities develop a plan to address the health and safety of all utility workers. No utility meter readings that require entry into any building shall take place until further notice. Operation centers for public utilities are permitted to remain open.
- 12) No roadway solicitations seeking charitable contributions whether previously authorized by the County or otherwise shall take place until further notice.
- 13) Food establishments or retail establishments that primarily sell food, either fresh or preserved, including but not limited to grocery stores and supermarkets and similar establishments, and the portion of establishments that engage in this activity shall be permitted to remain open between the hours of 7 a.m. to 11 p.m. Food establishments shall be restricted to the sale of food and health care products, and shall prohibit the purchase of any other items. Larger food establishments and supermarkets shall limit the number of patrons within a store to fifty (50) at any one time. Smaller store that are not capable of servicing fifty (50) patrons shall impose an appropriate customer limit to comply with CDC social distancing guidelines. Individual municipalities shall be responsible for the enforcement of the limitations contained in the within paragraph.
- 14) Parks shall remain open for passive recreation, however, no organized or directed activity shall be permitted. Any other park activities that bring groups of more than four individuals (other than family members) shall be prohibited, such as playgrounds, dog runs, rides, stables (except for the care and maintenance of horses at the stables) or games.
- 15) Golf courses may remain open for golfers who walk the courses only. All other facilities within private or public golf courses such as clubhouses, restaurants, health facilities, lesson facilities, etc. shall be closed. No public outings shall be permitted until further notice.
- 16) No groups of more than four people, other than family members, shall assemble in public at any time within the County until further notice. A curfew is also imposed within the County between the hours of 8:00 P.M. and 7:00 A.M. for all public outdoor activities.
- 17) Questions with respect to the provisions of the within Executive Order may be presented by email to the County at EOquestions@co.bergen.nj.us, or by calling the County during normal business hours at (201)785-8500.

- 18) This Order shall take effect March 17, 2020, at 11 p.m., and shall remain in effect until modified. This Order may be amended or supplemented in the event further action is required to combat the COVID-19 virus.

A handwritten signature in blue ink, reading "James J. Tedesco, III". The signature is stylized with a large, looped "J" and a clear "III" at the end.

James J. Tedesco, III
County Executive

Dated: March 16, 2020